REMARKS

Upon entry of this amendment, claims 1-2, 4, 6-19, 22-24, 26-28, 31-33, and 38-41 remain pending in the application. By this paper, claims 1, 11, 17, 19, 22-23, 26-28, 31-33, and 38-41 have been amended and claim 25 is canceled. No new matter is believed to be introduced by these amendments. Reconsideration and allowance of the application in light of the amendments and arguments herein is respectfully requested.

Objections

The specification stands objected to as failing to provide proper antecedent basis for claimed subject matter in claims 1 and 28. ¶4, Office Action. The Applicants have deleted the word "memory" from claim 1 and have changed "readable medium" to "recordable media" in claim 28 as suggested by the Examiner. Accordingly, the Applicants respectfully request that the objection be withdrawn.

The Amendment filed on February 20, 2008 stands objected to under 35 U.S.C. 132(a) as introducing new matter. ¶5, Office Action. The Applicants have deleted the words "methods" at page 10, line 6, and the words "on a computer readable storage." Accordingly, the Applicants respectfully submit that the new matter issues have been resolved, and request the objection be withdrawn.

35 U.S.C. § 112 Rejections

Claims 1, 2, 4, 6-19, 22-28, 31-33, and 38-41 stand rejected under § 112, second paragraph, as being indefinite. ¶6, Office Action. The Applicants respectfully submit that the above claim amendments overcome the § 112 rejections as follows, and requests that the rejection be withdrawn: (i) "the network resource" in claim 1 has been changed to read "the web resource"; (ii) "the group" in claims 1, 22, 28, and 33 has been changed to read "a group"; and (iii) the "enhancement mechanism" has been changed to read the "method" in claim 27.

35 U.S.C. § 103 Rejections

Claims 1, 2, 4, 6-8, 10-13, 16-19, 22-24, 26-27, 33, and 38 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,379,251 ("Auxier") in view of U.S. Patent No. 6,826,594 ("Pettersen"). Claims 39, 40, and 41 stand rejected under § 103(a) over Auxier and Pettersen in view of "Official Notice." Claims 9, 28, and 31-32 stand rejected under § 103(a) as being unpatentable over Auxier and Pettersen in view of U.S. Patent No. 6,785,659 ("Landsman"). Claim 14 was rejected under § 103(a) as being unpatentable over Auxier and Pettersen in view of U.S. Patent No. 6,061,660 ("Eggleston"). Claim 15 was rejected under § 103(a) as unpatentable over Auxier and Pettersen in view of U.S. Patent No. 6,790,138 ("Erlichman"). The Applicants respectfully submit that these references, alone or combined, do not disclose each and every feature of the claims.

As amended, claim 1, recites "a request/load module for requesting and loading <u>an advertisement </u>content object," to clarify that the content object with which the system begins is an advertisement, e.g., banner ads shown as element 19 in FIG. 1, or images as discussed throughout the application. The application makes specific example of "graphical advertising content, such as banner ads, branded content, etc." Page 2, lines 9-10. These "banner ads typically provided a graphically-displayed sign and information relation to a product, service or company." Page 2, lines 11-12. Accordingly, the term "advertisement" is added to clarify that the content object is an advertisement, such as a banner ad that provides information in relation to a product, service or company, not to a game in and of itself. In contrast, Auxier discloses creation of an interactive game, such as a scratch-off game. When an obscuring game symbol is removed, all that is uncovered is new content related to the game itself, e.g., if a player has won, not an <u>altered output</u> of an advertisement content object as recited in claim 1.

Claim 1, was further amended to recite "wherein the <u>advertisement </u>content object is loaded into the enhancement mechanism in one of a plurality of formats that do not require <u>prior adjustment or preparation</u>." The amended language replaces the term "customization" referred to and purportedly defined in paragraph 57 of the Office Action.

Support for this amendment can be found at least at paragraph [0030] of the specification. Nowhere does Auxier or Pettersen, alone or combined, disclose this feature because they do not disclose that the content object is "in one of a plurality of formats that do not require prior adjustment or preparation," which goes beyond being without customization because no adjustment or preparation is needed.

That banner ads of Auxier can "create click-throughs for interested users as well as largely uninterested users," column 9, lines 18-21, says nothing about what actions in terms of preparation or adjustment may be required on the advertisement content object before delivering it. The cited section of Auxier refers to user interests, not to technical requirements of delivering and displaying advertisement content objects to users. Auxier otherwise refers to generating completely new advertisements, for instance, in the form of a scratch off game in FIGS. 4 and 7, but does not disclose that an output format of an advertisement content object is altered in real time, wherein the advertisement content object does not require prior adjustment or preparation. Surely the secondary image (or obscuring symbol) and the underlying information regarding whether a player has won, is content that had to be created beforehand, e.g., the content underwent prior adjustment or preparation through its creation. Pettersen does not dispel this notion, as will be made clear shortly.

Claim 1 was also amended to recite "an enhancement module for altering an output format of the advertisement content object in real time after being loaded by the request/load module, wherein the enhancement module rearranges image data of the advertisement content object." This amendment makes clear that the altering of the output format by the enhancement module is after it was loaded by the request/load module from the content server to the client computer. With this clarification and the "does not require prior adjustment or preparation" amendment, the advertisement content object as claimed is not disclosed in Pettersen either. Pettersen discloses and explicitly defines "dynamically" to include

> revenue links [that] might be displayed as banner ads one time, and as buttons or hyperlinks another time, or at different times of the day. All of which is to say that the dynamic nature of the dynamic content files can lead to an almost endless possibility for choices of dynamic content.

Col. 11, lines 61-67. A "choice" makes reference to pre-selection. This "dynamic changing" is therefore carried out on content objects before being served with a web page as they may be displayed differently at different times. This still falls short of disclosing that an advertisement content object is loaded without requiring prior adjustment or preparation before an enhancement module alters an output format thereof to "rearrange image data."

For at least these reasons, claim 1 is patentable over Auxier in view of Pettersen. Likewise, claims 2, 4, and 6-19 are believed to be patentable by virtue of their dependency from claim 1.

Claim 22 includes similar amendments and included in claim 1, and is patentable for at least the same reasons discussed above. Furthermore, claim 22, as amended, recites "selecting at least one of a plurality of enhancement modules available based on at least a demographic of the user." This amendment finds support at least at paragraph [0035] of the specification. Nowhere does Auxier or Pettersen disclose this feature, and accordingly, claim 22 is patentable for at least this reason.

Claim 22 was further amended to recite "enhancing the advertisement content object with the at least one of the plurality of enhancement modules, wherein each of the plurality of enhancement modules causes a different visual alteration of the loaded advertisement content object in real time." The Office Action points to Pettersen, column 11, lines 40-67, for disclose these features. This paragraph, however, recites a laundry list of types of possible dynamic content that may be inserted into a web page at various times, in addition to revenue links insertable within dynamic content.

While Pettersen teaches that "the nature and character of the potential revenue links contained in these varying web pages 793 might be dynamically changed," it does not disclose "wherein each of the plurality of enhancement modules causes a different visual alteration of the loaded advertisement content object." This is because the very next sentence in Pettersen discloses "[f]or example, the revenue links might be displayed as banner ads one time, and as buttons or hyperlinks another time, or at different times of day." Col. 11, lines 63-66. This teaches against claim 22 which

recites "a different visual alteration of the **loaded** content object," not a different content object at another time. In other words, claim 22 requires a content object to be loaded for viewing and then the enhancement that occurs is to provide a different visual alteration of the loaded advertisement content object in real time.

The Office Action disagrees with this argument, and further points to Pettersen column 11, lines 40-67 that discusses updating sports scores or revenue links that "might be dynamically changed." The Applicants reiterate, however, that these passages of Pettersen do not clearly disclose that the loaded content object is undergoing the alteration in lieu of simply loading another variation or a completely new content object. Pettersen, column 10, lines 42-50 also simply discusses how dynamic content is passed from a content database into a web page "zone," but lacks disclosure in regards to alterations of that dynamic content once it is loaded into the system browser.

For at least these reasons, claim 22 is patentable over Auxier in view of Pettersen. Claims 23-24, and 26-27 are believed to also be patentable by virtue of their dependency from claim 22.

Claim 28 was amended to read "selecting an enhancement module from a plurality of enhancement modules based on at least a demographic," similar as with claim 22, and is patentable for at least the same reasons discussed above.

Claim 28 was further amended to recite "wherein each of the plurality of enhancement modules causes a different visual alteration of the passed advertisement content object to, in real time, convert the advertisement content object into a scrambled version of the advertisement content object to create an interactive game for a viewing user." The first feature recited here was just discussed above with reference to claim 22. Claim 28 is patentable for at least the same reason, e.g., that Auxier and Pettersen do not disclose causing "a different visual alteration of the passed advertisement content object."

These features that are missing in Auxier and Pettersen are not taught in Landsman, which was cited for disclosing the "proxy system" feature of claim 28. Accordingly, Landsman does not make up for a deficiency in the above-recited features.

For at least these reasons, claim 22 is patentable over Auxier and Pettersen in view of Landsman. Claims 31-32 are believed to also be patentable by virtue of their dependency from claim 28.

Claim 33 includes similar amendments to those of claim 1 and is patentable for at least the same reasons discussed above. Furthermore, amended claim 33 recites "executing the enhancement module in real time such that image data from the content object is rearranged to convert the <u>advertisement</u> content object into a game."

The Office Action, at paragraph 15 and 61, contends that conversion of a content object into a game is disclosed by Auxier at column 4, lines 41-63 and column 5, lines 43-47. These passages, however, merely disclose that a banner ad may be created or programmed that includes a user interactivity feature. For instance, "[t]he receipt of applet executable code greatly expands upon the types of banner ads that can be displayed. … to render banner ads that can interact with the user." Col. 4, lines 48-50. An example provided is that of an Internet version of a scratch-off game, which includes "gaming image symbols that are defined by ad server 120." Col. 4, lines 56-61.

> Specifically, the delivery of applet executable code by ad server 120 enables client computer 130 to display [a] banner ad having an interactive gaming portion within area 420. In the example of FIG. 4, interactive gaming portion 420 includes a scratch-off game card having six symbol areas 421-426.

Col. 5, lines 44-49. But where is the original advertisement content that is "**converted**" in real time into a game? There is no real-time conversion occurring in Auxier. A scratch game is created, and then served, nothing more.

Furthermore, Pettersen makes no mention of user interaction or creating games of any rearranged images. Accordingly, there is no reason that Pettersen would be used in conjunction with Auxier by one of skill in the art, and the two references, as combined, simply fail to disclose executing the enhancement module in real time such

that image data from the advertisement content object is rearranged <u>to convert the content object into a game</u>.

For at least these reasons, claim 33 is patentable over Auxier in view of Pettersen. Likewise, claims 38-41 are believed to be patentable by virtue of their dependency from claim 33.

Claim 38 recites "wherein the enhancement module comprises an informing enhancement that appends a message to the <u>advertisement </u>content object that requests an action from an end user." The Applicants note that no specific rejection was made with regards to claim 38, only that it was rejected under 35 U.S.C. § 103(a) under Auxier in view of Pettersen.

With this response, the application is believed to be in condition for allowance. Should the examiner deem another telephone conference to be of assistance in advancing the application to allowance, the examiner is invited to call the undersigned attorney at the below telephone number.

Respectfully submitted,

<u>   /Nathan O. Greene/   </u>
Nathan O. Greene
Registration No. 56,956
Attorney for Applicants

June 3, 2008
BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(801) 355-7900